

REMARKS

In the Official Action mailed on **February 10, 2005** the Examiner reviewed claims 1-24. Claims 1-24 were rejected under 35 U.S.C. §102(e) as being unpatentable over Chiles et al. (USPN 6,167,567, hereinafter “Chiles”).

Rejections under 35 U.S.C. §102(e)

Independent claims 1, 9, and 17 were rejected as being unpatentable over Chiles. Applicant respectfully points out that Chiles teaches **updating software already installed** on remote computers (see Chiles column 2, lines 42-56; column 3, lines 35-46). Furthermore, each installed software product **must register itself** with Chiles’ updating system during its installation on the remote computer in order to be automatically updated using Chiles’ updating system (see Chiles column 4, lines 8-15).

In contrast, the present invention teaches **installing preconfigured software** on a remote computer (see page 6, lines 14-23; page 8, lines 1-3 of the instant application). Installing preconfigured software onto a remote computer and updating software already installed on a remote computer are not the same thing. Updating installed software requires that the *software already be installed* on the remote computer. However, when installing preconfigured software on a remote computer, the remote computer *may not have an operating system or any other software installed* on it. Consequently, a custom operating system must be loaded to allow the remote computer to access the Internet and to provide *functionality to determine the location of an archive, download the archive, install the archived software and restart the remote computer* (see page 7, lines 14-18 of the instant application).

There is nothing within Chiles, either express or implied, that suggests installing preconfigured software on a remote computer by loading a custom operating system to allow the remote computer to access the Internet and to

provide functionality to determine the location of an archive, download the archive, install the archived software and restart the remote computer.

Accordingly, Applicant has amended independent claims 1, 9, and 17 to clarify that the present invention installs preconfigured software on a remote computer by loading a custom operating system wherein the custom operating system allows access to the remote computer over the Internet *and provides functionality to determine the location of an archive, download the archive, install the archived software and restart the remote computer.*

Hence, Applicant respectfully submits that independent claims 1, 9, and 17 as presently amended are in condition for allowance. Applicant also submits that claims 2-8, which depend upon claim 1, claims 10-16, which depend upon claim 9, and claims 18-24, which depend upon claim 17, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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